



General Assembly

January Session, 2005

***Raised Bill No. 1093***

LCO No. 3407

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Referred to Committee on Public Health

Introduced by:  
(PH)

***AN ACT CONCERNING REVISIONS TO THE DEPARTMENT OF  
MENTAL RETARDATION STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 5-259 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2005*):

4 (e) Notwithstanding the provisions of subsection (a) of this section,  
5 (1) vending stand operators eligible for membership in the state  
6 employee's retirement system pursuant to section 5-175a, shall be  
7 eligible for coverage under the group hospitalization and medical and  
8 surgical insurance plans procured under this section, provided the cost  
9 for such operators' insurance coverage shall be paid by the Board of  
10 Education and Services for the Blind from vending machine income  
11 pursuant to section 10-303, and (2) blind persons employed in  
12 workshops established pursuant to section 10-298a, shall be eligible for  
13 coverage under the group hospitalization and medical and surgical  
14 insurance plans procured under this section, provided the cost for such  
15 persons' insurance coverage shall be paid by the Board of Education  
16 and Services for the Blind. General workers employed in full-time

17 positions by the Department of Mental Retardation as self-advocates,  
18 not to exceed ten employees, shall be eligible for sick leave, in  
19 accordance with section 5-247, vacation and personal leave, in  
20 accordance with section 5-250, and holidays, in accordance with  
21 section 5-254.

22 Sec. 2. Section 17a-248c of the general statutes is repealed and the  
23 following is substituted in lieu thereof (*Effective October 1, 2005*):

24 (a) The commissioner shall establish at least one local interagency  
25 coordinating council in each region of the state. [The] Each council  
26 shall consist of [at least four members who are parents of children aged  
27 birth to three with disabilities or of children aged three through twelve  
28 with disabilities. Each such council shall also include a representative  
29 from the medical community, at least three public or private providers  
30 of early intervention services, at least one child care provider or  
31 representative of child care providers, regional representatives of  
32 participating agencies, if appropriate, and a representative of at least  
33 one local public school district. The commissioner may waive one or  
34 more of the membership composition requirements set forth in this  
35 subsection in those regions where such requirements cannot  
36 reasonably be met] five or more individuals interested in the welfare of  
37 children ages birth to three years with disabilities or developmental  
38 delays.

39 (b) [The] Each local interagency coordinating council established  
40 pursuant to subsection (a) of this section shall meet at least four times a  
41 year and shall advise and assist the regional birth-to-three managers  
42 regarding [: (1) The planning for delivery and assessment of the early  
43 intervention services for eligible children and their families, including  
44 the transition from early intervention services to services and  
45 programs under sections 10-76a to 10-76g, inclusive, and other early  
46 childhood programs; (2) the identification of service delivery reforms  
47 needed to promote the availability of early intervention services within  
48 natural environments; (3) the identification of programs and services

49 available to children who are determined not to be eligible for early  
50 intervention services; (4) the coordination of public and private  
51 agencies; and (5) such other matters] any matter relating to early  
52 intervention policies and procedures within the [region] towns served  
53 by that council as are brought to its attention by parents, providers,  
54 public agencies or others, including the transition from early  
55 intervention services to services and programs under sections 10-76a to  
56 10-76g, inclusive, and other early childhood programs.

57 [(c) The council shall report annually to the regional birth-to-three  
58 managers and the state interagency coordinating council on the  
59 adequacy of the birth-to-three system to ensure the availability of  
60 family-centered, coordinated services and interface with other existing  
61 planning bodies that serve like populations.]

62 [(d)] (c) Council members who are parents of children with  
63 disabilities shall be reimbursed for reasonable and necessary expenses  
64 incurred in the performance of their duties.

65 Sec. 3. Subsection (c) of section 17a-210a of the general statutes is  
66 repealed and the following is substituted in lieu thereof (*Effective*  
67 *October 1, 2005*):

68 (c) Upon the vacancy of the director of the ombudsman office by the  
69 person serving in such position on July 1, 2004, and whenever  
70 thereafter the term of such position expires or there is a vacancy in  
71 such position, the Governor shall appoint the director of the  
72 ombudsman office from a list of candidates prepared and submitted to  
73 the Governor by the Council on Mental Retardation, established by  
74 section 17a-270. The Governor shall notify the council of the pending  
75 expiration of the term of an incumbent ombudsman not less than  
76 ninety days prior to the final day of the ombudsman's term in office. If  
77 a vacancy occurs in the position of ombudsman, the Governor shall  
78 notify the council immediately of the vacancy. The council shall meet  
79 to consider qualified candidates for the position of ombudsman and  
80 shall submit a list of not more than five candidates to the Governor

81 ranked in order of preference, not more than sixty days after receiving  
82 notice from the Governor of the pending expiration of the  
83 ombudsman's term or the occurrence of a vacancy. The Governor shall  
84 designate, not more than sixty days after receipt of the list of  
85 candidates from the council, one candidate from the list for the  
86 position of ombudsman. If, after the list is submitted to the Governor  
87 by the council, any candidate withdraws from consideration, the  
88 Governor shall designate a candidate from those remaining on the list.  
89 If the Governor fails to designate a candidate within sixty days of  
90 receipt of the list from the council, the council shall refer the candidate  
91 with the highest ranking on the list to the General Assembly for  
92 confirmation. If the General Assembly is not in session at the time of  
93 the Governor's or council's designation of a candidate, the candidate  
94 shall serve as the acting ombudsman until the General Assembly meets  
95 and confirms the candidate as ombudsman. A candidate serving as  
96 acting ombudsman shall be entitled to compensation and have all the  
97 powers, duties and privileges of the ombudsman. An ombudsman  
98 shall serve a term of four years, not including any time served as  
99 acting ombudsman, and may be reappointed by the Governor or shall  
100 remain in the position until a successor is [confirmed] appointed  
101 pursuant to this subsection. Although an incumbent ombudsman may  
102 be reappointed, the Governor shall also consider additional candidates  
103 from a list submitted by the council as provided in this section.

104 Sec. 4. Subsection (a) of section 17a-241 of the general statutes is  
105 repealed and the following is substituted in lieu thereof (*Effective*  
106 *October 1, 2005*):

107 (a) The Commissioner of Mental Retardation shall [, upon the  
108 recommendation of the education council of the school district,]  
109 appoint a superintendent for [said] the school district. Said  
110 superintendent shall operate the school district in accordance with the  
111 rules and orders of the commissioner. [and with the policies and  
112 programs approved by the education council of said district.] The  
113 superintendent shall, subject to the approval of the commissioner,

114 make rules for the administration of the school system, provided all  
115 such rules are in accordance with regulations established by the State  
116 Board of Education.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	5-259(e)
Sec. 2	<i>October 1, 2005</i>	17a-248c
Sec. 3	<i>October 1, 2005</i>	17a-210a(c)
Sec. 4	<i>October 1, 2005</i>	17a-241(a)

***Statement of Purpose:***

To extend benefits to Department of Mental Retardation self-advocates, update the birth-to-three local interagency coordinating council statute and make technical changes to the Department of Mental Retardation ombudsman and the State of Connecticut-Unified School District #3 statutes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*